

ENTERED

December 09, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DYLAN ELY, *et al*,

§

Plaintiffs,

§

VS.

CIVIL ACTION NO. 2:19-CV-171

PENNYMAC LOAN SERVICES, LLC, *et*
al,

§

Defendants.

§

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ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Before the Court is Magistrate Judge Jason B. Libby's Memorandum and Recommendation advising the Court to dismiss this action for want of prosecution under Federal Rule of Civil Procedure 41(b). (D.E. 15).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. The parties did not file any objections thereto. See (D.E. 16); 29 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(2). Where no objection is filed, the district court need only determine whether the magistrate judge's memorandum and recommendation is clearly erroneous or contrary to law. See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989); *Bhakta-Gallier v. Tenet Healthcare Corp.*, No. 4:17-CV-3178, 2018 WL 1316741, at *1 (S.D. Tex. Mar. 13, 2018).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, the Court **ADOPTS** the Memorandum and Recommendation (D.E. 15) in its entirety. Accordingly, this action is

DISMISSED without prejudice. Defendant PennyMac Loan Services, LLC's motion to dismiss (D.E. 3) is **DENIED AS MOOT**.

SIGNED and ORDERED this 9th day of December, 2019.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE